



Commission for
Communications Regulation

Response to Consultation

Review of the Premium Rate Services Numbering Scheme

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1 Introduction

In February 2003, ComReg issued consultation document ComReg 03/27 on the Premium Rate Services (PRS) numbering scheme. This followed representations from members of the PRS industry seeking changes in the scheme, which has now been in place for over 10 years. In agreeing to this request, ComReg took the opportunity to simultaneously carry out a more wide-ranging review of the scheme, with the aim of adapting it to better meet the needs of all parties during the years ahead. The objective of the consultation was to allow for more flexibility to adjust service prices in line with prevailing market conditions and to ensure that maximum transparency is provided to users. Proposals for new pricing regimes were requested for both pay-per-minute services and pay-per-call (where the price of the call is independent of the duration of the call) services.

Interested parties were invited to submit their comments on a number of questions posed in the paper. This document summarises the responses received and the results of a subsequent direct consultation meeting and email consultations¹ during September 2003 - March 2004 with the interested parties. It includes brief outlines of ComReg's position on the various issues raised following this intensive consultation process. ComReg has carefully considered all responses including the meeting results and email responses before developing its own position in each case, and in so doing it has also had regard to the need for:

- User friendliness and tariff transparency;
- Minimum disruption to users and service providers;
- The facilitation of competition;
- Flexibility for future changes and innovation.

In particular, it has endeavoured to ensure that the numbering framework adopted would not be restrictive with respect to the above objectives. Nevertheless, it should also be realised that other important elements will be necessary to deliver the optimum PRS scheme, including interconnection and settlement regimes and billing (retail and wholesale) systems.

The area of PRS is one where the responsibilities of RegTel², the Regulator of Premium Rate Services, border on those of ComReg and both co-operate together as necessary in fulfilment of their duties. ComReg greatly appreciates this co-operation which works to promote the interests of users as well as afford them a high level of protection³. The importance of RegTel in respect of PRS content regulation is noted in a number of sections of this document.

The written comments of all respondents are available for inspection at ComReg's offices in Dublin.

¹ A meeting with industry took place at ComReg on 18 September to finalise retail price-points that could be incorporated into billing systems and this was followed up by email consultations on 6 October, 30 October and 4 March 2004.

² For more information on RegTel see www.regtel.ie.

³ Promoting the interests of users within the Community including ensuring a high level of protection in their dealings with suppliers, is set down as a ComReg objective in Regulation 12 of the Communications Regulation Act of 2002.

1.1 List of Respondents

In total 6 responses were received to the original published consultation, all from the telecommunications industry. ComReg would like to thank all the respondents for their time and effort and for the valuable information provided.

Respondents were:

- Budget Telecom
- *eircom*
- Esat BT
- iTouch Ltd.
- Valour Crest Ltd.
- Vodafone

Furthermore, there was participation in the meeting of 18 September and/or in the email consultations by the following additional organisations:

- Energis
- Meteor
- O2
- Phonovation
- Realm Communications
- RegTel

2 Background

2.1 Legal background

ComReg administered the National Numbering Scheme in accordance with Regulation 13 of the European Communities (Interconnection in Telecommunications) Regulations, 1998 (S.I. No.15 of 1998), which was replaced by the new telecommunications framework Regulations with effect from 25 July 2003.

Under the latter regime, ComReg is obliged to continue to administer the national numbering scheme⁴ in accordance with the new Framework Regulations⁵ to ensure efficient and effective management of all numbering resources. ComReg shall also from then on specify conditions to be attached to rights of use of numbers in accordance with the new Authorisation Regulations⁶.

The status of PRS and PRS numbering shouldn't alter as a result of these changes as the National Numbering Conventions⁷, which define their conditions of use, continue to apply as before. This is confirmed in section 6.4 of ComReg document 02/114⁸, which in effect states that ComReg will issue a Direction ensuring that numbering continues to be subject to the National Numbering Conventions.

ComReg pays special attention to ensuring consumer awareness of the often quite high charges incurred when dialling Premium Rate Numbers by making appropriate and recognisable code designations for Premium Rate Numbers. In doing so it is fulfilling its duties under Regulation 12(2)(c) of the Communications Regulation Act, 2002, which requires it, *inter alia*, to ensure a high level of protection for consumers in their dealings with suppliers and to promote the provision of clear information, in particular requiring transparency of tariffs and conditions for using publicly available electronic communications services. The use of recognisable codes in relation to special tariffs and as alerts in certain cases for sensitive information content, is a key mechanism supporting transparency for consumers.

ComReg is empowered to specify such conditions of use for designated numbers under existing legislation until 25 July 2003 and thereafter under Part C of the Annex to the Authorisation Directive. Allocated numbers may thereafter only be used in compliance with their designations. The conditions of use for all designated numbers are set down in the National Numbering Conventions, which are published on the ComReg web site.

ComReg is also conscious that the information content of some Premium Rate Services can disturb unprepared consumers and it therefore co-operates closely with the Regulator of Premium Rate Services, RegTel, to support RegTel in fulfilling its statutory role under S.I. 194 of 1995, of monitoring the content and promotion of Premium Rate Services.

⁴ Subject to any Directions from the Minister that may be issued pursuant to Section 13 of the 2002 Act.

⁵ European Communities (Electronic Communications) (Framework) Regulations, 2003.

⁶ European Communities (Electronic Communications) (Authorisation) Regulations, 2003.

⁷ The current version is document ComReg 04/35.

⁸ ComReg document 02/114: "Future Regulation of Electronic Communications Networks and Services - General Authorisation Conditions".

3 A Scheme for Per-Minute Priced PRS

3.1 Background and Summary

At present the per-minute prices for PRS are industry-wide single price points that ComReg understands have not changed since the inception of the scheme by *eircom* (then Telecom Éireann) over 10 years ago. ComReg reviewed this existing per-minute price-point based scheme in its consultation document and it believes that proposals submitted by respondents would provide more flexibility, going forward.

In the Consultation Paper, three alternative approaches to price indication for the new numbering scheme for PRSs were presented and these are considered individually below. These approaches are:

- No price indication;
- Price-point indication – one price per access code;
- Price-band indication – range of prices per access code.

3.2 No Price Indication

3.2.1 Summary of the Consultation Topic

Such a scheme could be based on a numbering arrangement such as: -
1500 XXX XXX or 0900 XXX XXX

where the Premium Rate number dialled gives no indication of the retail price being charged. ComReg stated in the consultation that it believes that regular users of PRS are accustomed to price indication provided by the number and rely on this to manage call usage. ComReg stated its consideration that a numbering scheme that does not provide a reasonable level of transparency for users would be undesirable.

Q. 1. Do you agree that a scheme, where the Premium Rate number dialled gives no indication of the retail price being charged is undesirable, and should not be introduced?

3.2.2 View of the Respondents

Overall there was a view that Irish consumers have some understanding of the cost of PRS based on the unique numbering scheme for these services. It is believed by the respondents that maintaining customer understanding and any efforts to further educate customers would be welcomed. Four of the respondents agreed that a scheme in which the number did not indicate the price being charged would be undesirable.

One respondent believes that price level indication has to be assessed against what would be considered appropriate for users, having regard to their overall understanding of the numbering scheme. This respondent places considerable importance on clear indication of the charge being provided in all associated promotional material and in certain circumstances at the beginning of the call. Conversely, another respondent questioned the current level of consumer awareness regarding the link between access codes and call charges and believes that price indication will only be effective if linked to an extensive awareness campaign.

3.2.3 Commission's Position

In general, ComReg adheres to the principle that dialled numbers should provide consumers with a clear understanding of the type of service they are dialling and the likely cost. It believes that this aspect of the National Numbering Scheme is in general well understood by the public⁹. Price indication based on the dialled number will therefore continue to be a requirement to support tariff transparency for the consumer.

In February 2003, ComReg issued a consultation on protecting users of telecommunications services¹⁰ which, *inter alia*, noted the obligation on ComReg to ensure tariff transparency for users of telephony services.

Recognising all of this, ComReg believes that a scheme in which the dialled number provides no indication of tariff offers little transparency to the calling party and a change to such a scheme is therefore undesirable.

3.3 Retention of Price Point Indication or Migration to Price Band Indication

3.3.1 Summary of the Consultation Topics

The existing numbering scheme for PRS provides price indication based on the third digit of the access code in ascending order, e.g:

- Price-point 1550 → € 0.74 per minute (incl. VAT)
- Price-point 1560 → € 0.95 per minute (incl. VAT);
- Price-point 1570 → €1.27 per minute (incl. VAT).

The consultation noted that maintaining this type of pricing regime has advantages, in that customers have some understanding of the significance of the ascending order of codes. However, such a regime does not readily facilitate price changes (increases or reductions) resulting from competition, changed operating costs or inflation, while conversely it may tend to facilitate price fixing arrangements.

Views were invited on retention of a price-point scheme.

Q. 2. Are you in favour of the retention of a numbering scheme for Premium Rate Services that is based on Price Points? If so, how should it be organised?

An alternative proposal that would deal with the difficulties outlined above would be to change from price-point to price-band indication for PRS. With a price-band-based pricing scheme, lower and/or upper price limits would be associated with a particular access code, between which prices can be set for individual services on any particular number.

The consultation suggested that a price-band scheme would provide reasonable price indication to the user and would be considerably more flexible with

⁹ Refer also to section 3.6 of ODTR Doc. 01/58 – Review of the National Numbering Scheme for Telephony in Ireland.

¹⁰ ComReg Document 03/26 – Protecting Users in a Developing Communications Market: Implementing Measures under the National and EU Communications Framework.

Review of the Premium Rate Services Numbering Scheme regard to accommodating price changes in response to prevailing market conditions than rigid price-points. It would also provide a framework for the introduction of new services that cannot be accommodated within the existing restricted scheme. Views were invited on this.

Q. 3. Any Price-Banding regime would need to be open ended, user friendly and not overly complex. Do you agree with a change from Price-Point to Price-Band indication for any new numbering scheme introduced for PRS?

3.3.2 *Views of Respondents*

Responses to questions 2 and 3 indicated that while respondents desire a premium rate numbering scheme that is flexible and promotes competition, there is a split as to whether this can be provided by the existing price-point system.

Four of the six respondents supported the introduction of a PRS numbering scheme based on price-bands, with one or more retail price points per band. One of these respondents proposed a numbering scheme for PRS with retail price ranges for each code within which an Operator/SP would select its preferred single price points.

Another respondent considered that the proposed banding structure with its minima and maxima is appropriate as it provides the potential for more choice and flexibility with regard to price points. This respondent felt that having multiple price points within specific price-bands and a clear industry process for review and amendment of these, based on a 2-stage process, would encourage further innovation in the PRS market. Such a structure would also ensure that operators and service providers could react more quickly to changes in the market place.

One respondent believed that the fixing of prices at specific price points for PRSs does not promote price competition among service providers and is in favour of the proposal to establish price-bands for voice PRS; the respondent believed an immediate effect of this would be the incorporation of the current rates from mobile networks into a pre-determined price structure. Another respondent was in favour of a change from price-point to price-band indication, subject to retaining numbers (and codes) currently in use.

3.3.3 *Commission's Position*

While the mix of views submitted wasn't very clear-cut on this issue, ComReg believes that it is important for the numbering scheme to act as a facilitator rather than a barrier to competition. As discussed in the consultation paper the current price-point scheme does not easily facilitate price changes (reductions or increases) and could potentially lead to price fixing. For these reasons, ComReg has decided to replace the existing PRS numbering scheme based on price points with a new scheme based on retail price bands. Separate price-band Groups will be provided for per-call and per-minute priced calls.

ComReg believes that the approach which offers good flexibility, while simultaneously meeting the objections of respondents is to implement a price-band-based scheme for PRS from a numbering perspective only. The price-

bands would provide a framework within which specific price points that practical billing systems could support could be agreed between the market players concerned, without intervention by ComReg. Furthermore, the price points currently used by operators could continue under such a scheme. A more detailed description of the new scheme being presented in this paper is given in the following sections and is summarised in tabular form in the appendix. Those later sections also discuss certain implementation aspects, as ComReg recognises that changing to a new and somewhat more complex system has implications for those who must implement it on billing and other systems. Such changes cannot be done instantaneously.

3.4 Optimising Price Bands

3.4.1 Summary of the Consultation Topic

The consultation paper contained a proposal for a set of 9 price bands. In it, ComReg gave initial consideration to the price bands that could be used in any new numbering scheme for PRS having regard to:

- the existing price points;
- the price bands for Value-added Text Messaging (SMS) Services;
- the selection of memorable end-point prices to define the bands;
- the existing most widely used PRS;
- providing for new services and future proofing;
- industry proposals for higher price options to cater for increased operational costs and inflation and to facilitate future service innovations.

Q. 4. If a decision was taken to move to a Price Band structure, do you agree in general that the above set of Price Bands should be used (as far as is practicable) as a basis for deciding on the pricing structure for a new numbering scheme for PRS?

Q. 5. Assuming that you agree with the number of bands, do you agree with the band limits for each of the 9 bands? If not, what would be your preferred limits for each?

3.4.2 Views of Respondents

One respondent agreed with the proposed bands to some extent but only if they could be used with the existing access codes. It was argued that there would be huge costs involved for both operators and service providers if the numbering scheme was completely changed. The other respondents generally did not agree with the proposed bands for several reasons: there are too many bands, the upper limits are not suitable, the ranges are not wide enough and are too constrictive. One respondent proposed different upper limits for the bands, also indicating that it was not necessary to specify the lower limit on bands and overlap should be allowed in some cases. Another respondent insisted that

there should always be an upper limit on the band (one band proposed by ComReg had no upper limit) as otherwise operators are too vulnerable to fraud and bad debt.

3.4.3 Commission's Position

ComReg has taken on board as far as possible the proposals of respondents in deciding the price bands for use in conjunction with a new flexible numbering scheme. The key requests that could be accommodated in the final scheme were that:

- (a) all bands should have an upper limit; and
- (b) bands should have no lower limits.

ComReg accepts the comments of some respondents concerning the elimination of lower limits to the price bands, including the possibility of overlaps. ComReg believes it is unlikely that any operator would willingly use or continue to use a number signifying a higher price than is actually being charged, but accepts that the need for this could arise in certain circumstances¹¹; the elimination of lower limits facilitates SPs caught in situations where they cannot quickly switch to numbers from the next lower band. Such situations may result in overlap of prices between adjacent bands but they are unlikely to be either frequent or persistent.

The VAT-inclusive bands that were chosen for the per-minute charged PRS and for which PRS codes will be provided are presented below in Table 1. There are eight of these bands, in which the existing price points €0.33 and €0.95 continue to be accommodated, while 1540 and 1590 represent suggested new price-points. 1520 has been used for special purposes in the past but its correct price point has been in some doubt; the price band and price point for 1520 in Table 1 are intended to remove such uncertainties. Each price-band designation is inclusive of the actual upper price limit.

Access Code	Price-band	Proposed initial Price-point in Scheme ¹²
1520	Up to €0.30	€0.15 (new)
1530	Up to €0.50	€0.33 ¹³
1540	Up to €0.70	€0.60 (new); transition period applies
1550	Up to €1.20	€0.95
1560	Up to €1.80	€1.25
1570	Up to €2.40	€1.75
1580	Up to €2.95	€2.40
1590	Up to €3.50	€2.90 (new)

Table 1: Price Bands for Per-minute Charged PRS

¹¹ For example, if competition forces prices steeply downwards and an SP is reluctant to move to the new price-band permitted by the lower prices immediately, because of loss of branding.

¹² This is a required initial point. Operators are encouraged to include additional price-points subject to billing capabilities and normal operator interconnection negotiations.

¹³ This corresponds to an existing price-point under the present scheme.

In general, ComReg is not in favour of restricting the overall upper price-band ceiling but having regard to representations from respondents concerning customer price indication and potential fraud, has set an upper limit of €3.50 per minute for the immediate future.

3.5 Setting Retail Price Points and Corresponding Wholesale Price Points

The consultation paper indicated that moving from a price-point to a price-band scheme would require more billing system flexibility and would introduce changes to the procedures for agreeing retail and interconnect prices amongst operators and for sharing revenues between Operators and Service Providers. In theory, a Premium Rate Service Provider could agree a retail rate and a percentage revenue share with the ‘hosting’ network operator (i.e. the operator who terminates the calls). The revenue sharing model is generally a matter for commercial negotiation between the SP and host operator. The Hosting operator would then be responsible for informing all originating operators of the retail charge for the service/number.

A significant proportion of PRS calls originate on the *eircom* network or are transited by *eircom*. *eircom*’s interconnection charges for PRS are regulated by ComReg and are based on the costs of providing the interconnect service, including billing costs and provision for bad debt. In addition to *eircom*’s retail billing system being adapted to cater for price-bands, interconnection billing would also require modification.

ComReg had also indicated in the paper that while it believes that modern billing systems should be able to provide flexibility to set retail prices for individual services/numbers it realises that there may be practical limitations to offering complete flexibility on pricing to SPs. At one extreme, existing price points can continue to exist if a price-band proposal is adopted, since they fall within the defined bands. At the other extreme, billing systems would have to cater for full digit analysis and the possibility of a price anywhere within the appropriate band. Such flexibility might create unsustainable levels of administration. Practically, what might be offered could lie between these two extremes.

In addition, while the proposals in the consultation document offered more flexibility on retail pricing, ComReg was keen not to compromise price transparency for users. In that regard ComReg is fully supportive of the efforts of RegTel to ensure that the pricing message in advertising remains unambiguous.

Q. 6. Do you foresee any practical implementation difficulties in moving to a Price Band based scheme? If so, please suggest what measures could be taken to overcome such difficulties.

3.5.1 Views of Respondents on Setting Retail Price Points within each Band

All six respondents saw difficulties with implementing a fully flexible price-band based scheme. One respondent proposed a numbering scheme for PRS with retail Price Ranges for each code from which the respondent (*eircom*) would publish and implement only one retail price-point in each PRS code

band but acknowledged that individual services can have different retail prices on different networks. This would apply both to codes used to support services priced per-minute and services priced per call. The respondent cited the requirement to publish detailed and accurate price information for a range of licensed services, and to maximise customer awareness of the cost of PRS. The need to minimise requirements for new billing development before implementation was also cited as a reason for this approach. The respondent noted that number analysis in setting either retail or interconnect prices is limited to the first four digits of the PRS code.

Another respondent stated that the current PRS numbering scheme, which is based on price points is not meeting the commercial requirements of the industry. It would appear that the main issue is really the lack of flexibility inherent in the existing system, which offers a specific limited set of price points rather than multiple price points in each PRS range. The respondent advocated that a clear process enabling flexibility in respect of PRS pricing is required. In order to do so, the price-point indication will need to move further down the digit string and go deeper than the third indication. How far down, the respondent believes will really depend upon the extent to which *eircom's* systems can accommodate such analysis. The respondent believes that once *eircom* has indicated the maximum number of price points it can support in each PRS range, a set number of specific price points should be set in those ranges in the first instance, which would serve the requirements of terminating operators in the short term and confer an immediate benefit on the PRS industry. In order for the setting of multiple price points at a point in time to work however, there must be a formal process whereby a party can instigate an industry review of a particular range or the scheme in general. Ideally, terminating operators should have the freedom to set retail price points within the interconnection regime.

Another respondent made the point that retail and interconnect billing systems currently used by many network operators do not offer the flexibility to tailor price points to specific premium rate numbers.

3.5.2 *Commission's Position on Setting Retail Price Point within each Band*

ComReg acknowledges that within each price-band one or more Retail price points will be set up by each originating operator; in other words from a technical perspective setting up price points will still be required. When the new codes are introduced in the short term, *eircom* will be required to set at least one price-point for each band, which are those agreed during the industry meeting of 18/09/03 and subsequent email consultation – as shown in Appendix 1. Other operators, including mobile operators, remain free to set up price points within each price-band that are different from *eircom's* at the introduction date.

ComReg is not persuaded for the medium term by *eircom's* argument that it is necessary to implement only one retail price point with one corresponding settlement rate in each PRS code band in order to:

- Overcome the increased obligations to publish detailed and accurate price information for a range of licensed services;
- maximise customer awareness of the cost to them of using PRS;
- minimise requirements for new billing development before implementation.

Furthermore, ComReg does not accept that in setting either retail or interconnect prices, number analysis should be limited to the first four digits of the PRS code. Having regard to the comments made on (*inter alia*) retail tariffs by the other respondents, ComReg expects that *eircom* will be able to offer both a choice of retail price points and a choice of wholesale settlement rates for each price-band as soon as *eircom* improves the flexibility of its retail and wholesale billing systems.

3.5.3 Views of Respondents on Setting Wholesale Price Points

One respondent proposed that each 15XX code should support only one settlement rate - per-minute or per-call depending on the retail price structure - for the same code. In this way, each code could support a single retail price-point set on the respondent's network. In particular number analysis in setting either retail or interconnect prices is limited to the first four digits of the PRS code.

Another respondent did not believe that the current numbering scheme for PRS based on price points provides sufficient flexibility or enables competition to take place. The respondent believes in the need for the development of a process within the interconnection regime whereby the terminating operator can control the relevant retail price point. Such an approach exists in the UK wherein full control of the retail price level is vested in the terminating operator. Terminating operators should be able to quickly set the price of a new and innovative service and not be constrained by *eircom* or some artificial structure designed more for a monopoly regime. This must be tempered by the practical realities of the interconnection regime however, and the need for operators to have some certainty for billing purposes. That respondent proposed a two stage approach which involved the setting of multiple price points for use in the short term, coupled with the development of a formal industry process which would facilitate a timely review of a particular range or the introduction of a new price point within that system, i.e. to develop a process within the interconnection regime, which would properly acknowledge and respect the principle that the terminating operator should control the retail price for its service.

Another respondent stated that interoperability of voice PRS services carries with it the added complication of managing retention and settlement amounts in addition to the management of retail price points. Retail and interconnect billing systems currently used by many network operators, do not offer the flexibility to tailor price points to specific premium rate numbers. Despite the fact that mobile operators do not apply the established price points, they too have been restricted to offering a single price point for each premium number range. As a result of these limitations, service providers have come to expect a standard revenue share for a particular price point. Service Providers have not been given the flexibility on individual codes to negotiate a lower share of revenue in order to offer a lower retail price. This is not likely to change merely as a result of a formal price-band structure being put in place and will only develop as retail and interconnect billing applications become more sophisticated.

Another respondent commented that the administration of a system based on price-band indication would give rise to additional costs from a network/SP reconciliation point of view. It was contended that the PRS market has become extremely competitive in recent years and margins are eroding as a result.

Revenue sharing arrangements have become very competitive and there is no room for increased costs associated with stats/billing and reconciliation for either the SP or the network operator.

3.5.4 *Commission's Position on Setting Wholesale Price Point*

The primary purpose of this consultation was to review the numbering scheme for PRS and ComReg is satisfied that migration to a price-band based scheme will remove the numbering barriers necessary to achieving a more flexible approach to both retail and wholesale pricing for PRS. ComReg acknowledges that the existing wholesale pricing arrangements for PRS are too limiting and inflexible and expects that the removal of the numbering barriers will lead to more wholesale pricing choice for Other Licensed Operators (both originating and terminating) and for providers of PRS. ComReg expects that *eircom* will be able to offer a reasonable choice of both retail price points and wholesale settlement rates for each price-band as soon as they improve the flexibility of their retail and wholesale billing systems.

3.6 Pricing Information

While the proposals in the consultation document offered more flexibility on retail pricing than existing price points, ComReg is keen not to compromise price transparency for users and in particular that the pricing message in advertising remains unambiguous.

Q. 7. In particular, how might the current pricing information (required by RegTel as part of any promotion of PRS) be improved to provide further transparency for callers in a Price Band based scheme?

3.6.1 *Views of Respondents*

Respondents generally feel that RegTel's Code of Practice provides sufficient guidelines for advertising pricing with respect to PRS. Two respondents felt that the current RegTel requirements around price information would be sufficient in the case of price-bands. One of these respondents cautioned that some service providers in the industry were not complying with RegTel's Code of Practice in this respect and that it would be necessary to investigate and rectify this going forward in a price-band regime.

Two respondents believe that it would be sufficient for customers to understand the relative charge of a call to PRS before dialling a premium rate number. One of these respondents suggested that the advertising could refer to the upper limit the customer could be charged for calls to a particular PRS. The other respondent suggested that the customer be told the band within which they could be charged for the call.

One respondent felt that advertising should refer to the cost of a call from an *eircom* fixed line, as the majority of calls to PRS originate in the *eircom* network. The sixth respondent felt that in the current price-point situation, RegTel's requirements around advertising the cost of calls was sufficient and led to clear, unambiguous advertising. However, they felt that the introduction of price-bands would confuse consumers too much and that any advertising would be unhelpful, or meaningless.

3.6.2 *Commission's Position*

Currently requirements for displaying price information are dealt with by RegTel, through its Code of Practice, to which all Service providers must sign up. Respondents were generally very satisfied with RegTel's overall approach, which requires the actual price being charged for each service to be mentioned in advertising and they felt no changes are needed. ComReg broadly concurs with this view, but notes some respondents' concerns that requirements were not strictly adhered to in all cases, and will convey these respondents' concerns directly to RegTel. ComReg also considers that it may be desirable for promotions to use more specific consumer alerts than at present, in respect of the higher charges of some mobile operators for providing access to PRS services; ComReg will discuss this option with RegTel.

3.7 Alternative options for a Price-Band based PRS Numbering Scheme

The consultation paper proposed two possible numbering schemes for PRS based on the proposed price-band regime. The first of these proposals (Option 1) applied the price-bands to the existing PRS access codes with the addition of 1590 for higher price services.

The second of these proposals (Option 2) applied the proposed price-band to a numbering scheme of the format 15YZ, where Z=1 to 9 and Y=0.

Q. 8. In the event of a Price Band based numbering scheme being introduced for per-minute based PRS, which approach (Option 1 or Option 2) do you prefer and is your comparative preference a strong, medium or marginal one?

Q. 9. Based on your stated preference, what changes or improvements would you like to have incorporated in such a scheme?

3.7.1 *Views of Respondents*

There was strong preference among the respondents for Option 1, with all respondents choosing it as their preference. The main reason given for this is that any new scheme should use the existing access codes, as operators and service providers have been using the same number for years and have invested in the number in terms of advertising and consumer knowledge of their service. One respondent proposed their own scheme which suggests a set of price-bands, but also the price points which would exist alongside, as they do not agree with the introduction of price-bands in isolation. Another respondent said that they saw no benefits in introducing Option 2 as number changes are an inherent part of it.

Some respondents suggested specific changes/improvements that could be made:

- Wider price-bands;
- Removal of price "floors";

- Making clear how future changes to the new scheme can be facilitated without delay.

Two respondents made their own detailed proposals based on price ranges but also identifying the price point at which they will charge for each access code.

3.7.2 Commission's Position

ComReg agrees with the respondents who support the continued use of the existing dialling format:

15YZ XXX XXX (Z=0)

for per-minute priced PRS calls and has decided to include the codes 1520, 1530, 1540, 1550, 1560, 1570, 1580 and 1590 in the new scheme. Code 1540, which is currently available for per-call priced PRS calls, will be recovered and reused for per-minute priced calls.

ComReg has taken on board as far as possible the proposals of respondents, as amended by the meeting of 18/9/03, in deciding the price-bands (see Section 3.4) and supportable price-points corresponding to the dialling formats for per-minute priced PRSs as set out in Table 2 below.

Access Code	Price-band	Initial Price-point in Scheme ¹²
1520	Up to €0.30	€0.15
1530	Up to €0.50	€0.33 ¹⁴
1540	Up to €0.70	€0.60; transition period applies
1550	Up to €1.20	€0.95
1560	Up to €1.80	€1.25
1570	Up to €2.40	€1.75
1580	Up to €2.95	€2.40
1590	Up to €3.50	€2.90

Table 2: Price Bands for Per-minute Charged PRS

There are 8 bands, with the highest band capped at €3.50. This upper limit on the entire scheme is designed to address the expressed concerns about fraud and bad debt that might arise in an open-ended system. Within these 8 bands it is possible to facilitate just one of the existing price points, in accordance with some respondent's wishes. The 1520 code has been retained, after much detailed consideration, to encourage SPs to offer more competitive PRS to consumers.

3.8 Adult Services

The current numbering scheme for PRS provides for Adult Services¹⁵ on Access Code 1559, set at a Price-point of € 0.74 per minute. It was proposed in the consultation to retain the provision for Adult Services on Access Code 1559 but to change from the Price-point of € 0.74 per-minute to a 'Variable'¹⁶

¹⁴ This corresponds to an existing price-point under the present scheme.

¹⁵ As defined and controlled by RegTel.

¹⁶ 'Variable' means no pre-set limits, although it would still be obligatory to state the price of the service in advertising/promotional material.

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Q. 10. Do you agree with the proposal to retain the provision for Adult PRS on Access Code 1559 but to change from the Price Point of € 0.74 per minute to the Price Band “Variable”?

3.8.1 Views of Respondents

Five of the six respondents agreed to the retention of code 1559 for adult services and one respondent did not have a clear position on the preferred code to be used.

Three respondents agreed with the proposed change from Price-point €0.74 to price-band variable. One respondent pointed out that price points, albeit multiple ones in the price-band may have to be fixed at the outset and one respondent said that they would continue to price Adult services at €0.74.

3.8.2 Commission’s Position

In view of the responses and the subsequent absence of support for change during the meeting of 18/9/03, ComReg intends to maintain the Access Code 1559 for the provision of Premium Rate Adult services for the immediate future. As ComReg believes that there are no current services on these numbers and it is not clear what future demand will be, ComReg will designate the Code 1559 as a variable price band with a small number of price points including €0.74 to be agreed between market players and with an upper limit of €3.50 (to be consistent with the arrangements for other services). RegTel noted during the industry meeting of 18/9/03 that it is conducting a public consultation on adult services and – depending on the outcome of that consultation – ComReg may be prepared to re-open consideration of 1559 rates if renewed industry interest justifies it.

¹⁷ This is a matter for RegTel to decide and manage.

4 A Scheme for Per-Call Priced PRS

4.1 Background and Summary

In its consultation, ComReg reviewed the existing per-call numbering and pricing scheme and the possibility of expanding it to provide more options for Service Providers. Proposals were submitted in this regard which ComReg believes should provide more flexibility in the future.

The current numbering scheme for PRS provides for per-call (Flat Rate) pricing on Access Code 1540, set at a Price-point of € 0.58 per call (regardless of duration up to a practical limit). Up to now, Flat Rate Premium Services have not been widely used when compared with per-minute services. The recent introduction of a numbering scheme for Value-added Text Messaging (SMS) Services with Per Message pricing may stimulate the market for such competing PRS with per-call pricing.

The consultation paper presented two proposals for facilitating drop charge services. The first approach ('Option A') proposed continuing to use the existing access code format 15YZ, Z=0 and utilise the 1510 and 1520 access codes for Flat Rate services. The second approach ('Option B') proposed using the access code format 15YZ, Z=1 to 9, Y=1.

Q. 11. If your preference was for Option A, do you agree with the ComReg proposal in Table 5 to expand the number of Access Codes with Price Bands for Flat Rate Premium Services?

Q. 12. If your preference was for Option B, do you agree with the ComReg proposal outlined in Table 6 to expand the number of Access Codes with Price Bands for Flat Rate Premium Services?

Q. 13. Based on your stated preference, what changes or improvements would you like to have incorporated in such a scheme?

4.1.1 Views of Respondents

Three of the respondents including *eircom* favour the dialling format set out as Option B in the consultation paper, namely 151X.

One respondent favours the option through which *eircom* can facilitate the required number of price points but would have no issue with 154X being retained for this time.

One respondent views the link with the corresponding SMS structure as being important, but in the event of co-ordination not being achieved, favours option B.

One respondent favours the dialling format set out as Option A, namely 1510 and 1520.

4.1.2 Commission's Position

ComReg acknowledges the support from respondents for the introduction of a new dialling format:

15YX XXX XXX (Y=1)

for per-call priced PRS calls and has decided to include the codes 1512, 1513, 1514, 1515, 1516, 1517, 1518 and 1519 in the new scheme. ComReg intends to recover the 1540 XXX XXX range (which is lightly used) for re-use for per-minute priced calls. In order to cater for existing users of 1540 who will need to migrate to a new code (e.g. to 1513, if they retain the same price-point as before), a transition period will be provided during which the 1540 code will continue in its present per-call capacity alongside the new 1513 code.

ComReg has taken into account as far as possible the proposals of respondents in deciding the price-bands corresponding to the dialling formats (see Section 3.4) for per-call priced PRS as set out in Table 3 below, as well as inputs on price-points received during the extended consultation by meeting (i.e. 18/9/03) and emails.

Access Code	Price-band	Initial Price-point in Scheme ¹²
1512 ¹⁸	Up to €0.50	€0.25
1513	Up to €0.70	€0.60 ¹⁹ (parallel operation with 1540 during transition period –see above)
1514	Up to €0.90	€0.75
1515	Up to €1.20	€1.00
1516	Up to €1.80	€1.50
1517	Up to €2.50	€2.00
1518	Up to €3.50	€3.00
1519	Reserved for future use	

Table 3: Price Bands for Per-call Charged PRS

As with per-minute charged services, it is possible for operators to set additional price-point within the recommended price range, but these price points should not exceed the upper limit of the band. Additional price-points, can only be implemented after billing systems can cope with this.

In general, ComReg is not in favour of restricting the ceiling of the upper price-band but, having regard to *eircom*'s concerns about customer price indication and fraud, has decided to set an overall upper limit of €3.50 per call for the time being, subject to review, while in addition reserving code 1519 for possible future high-end per-call priced PRS.

¹⁸ Code 1511 is currently in use for Eirpac charged-access service, therefore number ranges charged per-call commence at 1512.

¹⁹ This price-point was proposed as €0.58 to correspond to an existing price-point under the present scheme but was revised to €0.60 following email consultation of 30/10/03.

5 International Access to Non-Geographic Numbers

5.1 Summary of the Consultation Topic

The European Union has introduced a new set of Directives for the Regulation of electronic communications, four of which will be effective from 25 July 2003. This includes the Universal Service Directive²⁰ that, *inter alia*, requires that callers from one Member State shall be able to access non-geographic numbers in another Member State, where technically and economically feasible, and where the called party has not placed limitations on access for commercial reasons (Article 28).

The consultation paper presented two possibilities for international access to Premium Rate Services numbers:

- Retain the 15XX XXX XXX format. International callers would be instructed to place +353 in front of the number;
- Use a separate access code in place of (or alongside) 15XX. For example, the 92 NDC is currently used for Ballinrobe (922 and 924 only) but will be taken out of service before the end of 2003 and will be fully available for reuse at the end of 2004.

Respondents were asked a series of questions relating to these two options and other issues in relation to opening international access to PRSs.

5.2 EU-Wide Access

Q. 14. Bearing in mind the above discussion, do you consider that ComReg should put in place a dialling procedure to permit EU-wide access to Irish Premium Rate Numbers?

5.2.1 Views of the Respondents

There were in general mixed and in some cases opposing responses to the questions posed on providing for EU-wide access to Irish Premium Rate Services. Two of the three Service Provider respondents agreed that an access procedure should be put in place while the other Service Provider believes that a consensus on the commercial operation of such international services is necessary before technical solutions are decided. The three Network Operator respondents on the other hand were not in favour of proceeding with the measures suggested to provide EU-wide or international access to Irish Premium Rate Services. Two respondents favoured the use of the ITU nominated country code +979 for Universal International Premium Rate Services (UIPRS)²¹. One respondent believed that ComReg needs to review its strategy for the National Numbering Scheme so that the structure of the scheme does not of itself amount to a barrier to commercial development.

²⁰ Directive 2002/22/EC of the European Parliament and of the Council of 7th March 2002 on universal service and users' rights relating to electronic communications networks and services, Official Journal L108, 24/04/2002.

²¹ These numbers exist behind country code 979; See the ITU web site at <http://www.itu.int/ITU-T/universalnumbers/uiprn/index.html>.

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Greater harmonisation with the non-geographic numbering scheme in Northern Ireland should form part of this strategy.

5.3 Using Dublin Number Ranges

Q. 15. In the event of ComReg putting in place a dialling procedure for EU-wide access, what are your views on the option to provide access to existing numbers by performing additional analysis, while utilising part of the Dublin expansion ranges?

5.3.1 Views of the Respondents

One respondent suggested that further consideration of utilising part of the Dublin expansion ranges was necessary and should not be done in isolation having regard to other services. The other respondents did not support this option and some had strong views – “highly inappropriate”, “unnecessary”, “abuse of the National Numbering space”.

5.4 Use of NDC “92”

Q. 16. In the event of ComReg putting in place a dialling procedure for EU-wide access, what are your views on the option to reuse National Destination Code “92”?

Q. 17. In the event of National Destination Code “92” being used for EU-wide access, should a national dialling procedure of the form 092XX XXX XXX be opened in addition to 15XX XXX XXX, with or without a plan for gradual migration towards a long term “9” or “92” only scheme for PRS?

5.4.1 Views of the Respondents

There were also mixed and opposing responses to the questions posed on using National Destination Code “92” for EU-wide access to Irish Premium Rate Services. Two of the Service Provider respondents supported the use of NDC “92” while another favoured the use of a number block behind the ITU UIPRN “979” code. Two Network Operators considered that using National Destination Code “92” is inappropriate. The other Network Operator is concerned that no rationale for the use of the “92” code has been given other than that the code is available. The solution should be part of an overall long-term strategy and greater harmonisation with the non-geographic numbering scheme in Northern Ireland should form part of this strategy.

On the question of whether a national dialling procedure of the form 092XX XXX XXX should be opened in addition to 15XX XXX XXX, with or without a plan for gradual migration towards a long term “9” or “92” only scheme for PRS, the following varied responses were received:

- Slight preference for limiting national access to PRSs to the existing “15XX” codes;
- Inappropriate;
- Operation of two numbering schemes or migration to new scheme would cause customer confusion;
- Open “0902” range – it may provide a smooth migration path to long term “9” or “92” only scheme for PRSs;
- No objections either way;
- The 15XX National access and +353 92XX EU access could be used for many years.

5.5 Other options

Q. 18. Can you identify any other options to provide EU-wide access to PRS?

5.5.1 Views of the Respondents

Three respondents did not suggest other options with two respondents mentioning that the ITU UIPRN “979” code should be used following successful commercial agreements. One respondent wants ComReg to identify the long term requirements of the National Numbering Scheme and access options that could be used for international access against these requirements.

5.6 Commission’s Position in respect of Q.14 – Q.18

This review (consultation paper and responses) identified three options to provide a dialling procedure to permit EU-wide access to Irish Premium Rate Numbers, i.e. using:

- the ITU UIPRN code +979;
- part of the Dublin numbering space +353 15XX;
- the “92” national destination code +353 92XX;

ComReg acknowledges that a consensus on the framework for the commercial operation of such services has not yet been achieved and this hampers decisions on the technical implementation requirements.

The respondents did not support using part of the Dublin numbering space +353 15XX and ComReg has decided not to proceed with this option at this time.

Some respondents advocated using the ITU UIPRN code +979. While this may provide a solution for some Service Providers, ComReg believes that it would be inappropriate for some service requirements such as cross-border calls from Northern Ireland.

Having regard to the requirement for EU-wide access to, *inter alia*, National Premium Rate numbers, where technically and economically feasible, under the Universal Service Directive with effect from 25th July 2003, and having regard to the responses to this consultation, ComReg has decided to reserve National Destination Code “92” for EU-wide access to Premium rate Numbers, subject to the following:

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- (c) Any agreed framework for commercial operation of such numbers would have to follow an initial decision to deploy and activate this code. ComReg will postpone taking such a decision until it is satisfied that the commercial and technical basis for this exists;
- (d) The EU-wide dialling format would be +353 92YZ XXX XXX, corresponding to the existing National Premium Rate Numbers 15YZ XXX XXX;
- (e) There will be no change in the national dialling format for Premium Rate Numbers for the time being, but callers from within the Republic of Ireland (as part of the EU) would – as part of a move to implement ‘092’ - have the choice to use either of the two access procedures for Premium Rate Numbers i.e. “15YZ XXX XXX” or “0 92YZ XXX XXX”. To some degree this parallels the arrangement already in place for the two Emergency Access Codes “112” and “999”;
- (f) In the event of any future strategic review of the National Numbering Scheme, this code reservation may be changed or modified.

6 Implementation of a new numbering scheme for PRS

The consultation paper presented a series of actions for implementing each of the numbering options outlined. It was envisaged that the time frame for implementing any of them would be no more than three months and respondents were asked for their views on this implementation plan and its associated timescale.

6.1 Actions and Timescales

Q. 19. In the event of a Price Band based numbering scheme being introduced for PRS, do you agree with the outline implementation actions for each of the options set out in Table 7 and are there any additional actions required?

Q. 20. ComReg considers that any option could be implemented in less than 3 months. Do you agree with these timescales? If you do not agree, what timescales do you consider should apply and why?

6.1.1 Views of the Respondents

Three respondents agreed with the proposed implementation actions, with one respondent suggesting a consumer awareness campaign should also be undertaken. Two respondents did not agree with the proposed set of actions, stating they are too vague and general. It was proposed by one respondent that an implementation plan should not be discussed until after a new PRS scheme has been determined. That respondent felt that at that stage an industry group should be set up to discuss the implementation issues. One respondent had no view.

There was strong feeling among the respondents about the timescales for implementation. All felt that three months was not long enough to implement a new scheme, especially one based on price-bands. Alternative timescales proposed by respondents ranged from a minimum of 6 months up to two years.

Generally respondents felt that the implementation of a price-band based scheme would require significant changes to billings systems, and a lot of co-ordination between all stakeholders. No party felt that a new scheme could be properly implemented in a timescale as short as three months.

6.1.2 Commission's Position

ComReg accepts respondents' reservations about short timescales and has extended the timescales, particularly where withdrawal of a number or number range is planned.

The list below represents the actions that need to be performed in order to put the new PRS framework in place. Timescales have been associated with each action.

Opening of 1590 and introduction of price bands on codes 1520, 1530, 1550, 1560, 1570, 1580 and 1590:

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This will be completed no later than November 2003²². Initially most operators may maintain the existing price points, but later migrate to new price points within the recommended bands (see section 8.2).

Opening of Flat rate codes 1512, 1513, 1514, 1515, 1516, 1517 with price bands:

These codes will be opened by 1 May 2004²² and new drop charge services can be offered on them from that date, with prices set within the recommended bands.

Migration of services on 1540 to 151X codes:

Existing drop charge services, currently offered on 1540, are given a further 3 months beyond first availability of 151X codes to migrate to a 151X code. After 1 May 2004 no new 1540 codes should be issued for drop charge purposes and new applicants should instead be offered 1513-based numbers. After 1 August 2004²³ no drop charge services should be offered on any already allocated 1540 codes.

After this there will be a 6 month quarantine period on 1540, where no services will be available on these numbers. This is to allow time to prepare for providing per-minute charged services on 1540 without causing confusion to customers. The new 1540 price band for per-minute charged services will therefore open on 1 February 2005.

6.2 Tariff Transparency

Q. 21. What additional measures do you consider might be required to ensure maximum tariff transparency for consumers in response to the introduction of a PRS numbering scheme based on Price Bands with per-minute charging?

Q. 22. What measures do you consider might be required to ensure maximum tariff transparency for consumers in response to the more wide spread availability of PRS with per-call charging?

6.2.1 Views of Respondents

Two respondents felt that the current practices to support tariff transparency, which include RegTel's requirement on how prices are displayed, should be sufficient to support any new scheme going forward. However, one of these respondents did suggest that it would help if operators displayed the cost of PRS calls from their network on their website.

One respondent suggested that the cost of the call could be presented to the customer "on-line" before charging commences for the call. In this way the

²² This date, is an extension from the original 1/12/2003, mainly due to time lost in achieving agreed price-points.

²³ This date is an extension from the original 28/02/03, following strong representations from industry, to overcome practical difficulties for running services.

customer has the option to proceed or not with the call, in the full knowledge of what the call will cost. As well as this the caller can be prompted at intervals during the call about its cost and asked if they wish to continue with the call.

Another respondent felt that if an operator has set a price within a band, then that price can be advertised as the cost of the call. Another respondent felt that price-bands would be too confusing and would make it very difficult to present the correct price information to the customer.

One respondent felt that PRS numbers do not indicate different pricing levels to users other than that all calls to PRS numbers are more expensive. The respondent feels this level price indication is sufficient, and that the numbering scheme should not be limited in order to provide more information through the number.

6.2.2 Commission's Position

The Commission accepts that using specific number prefixes as alerts for premium charges (and indeed for potentially sensitive content, in some cases) is not in isolation a perfect mechanism. Nevertheless, it helps, by providing specific clues for the consumer and therefore it is an important aid to transparency. The 'recognition factor' for 155X numbers certainly exists for many consumers, though the degree by which individual numbers within that range (i.e. individual 'X's) is admittedly less. When coupled with the extra impact of RegTel's publication requirements, the number indications provide a reasonable degree of consumer protection, sufficient to justify retention of that approach.

ComReg has considered the proposals made for announcing the rate of charge for the call, plus its cumulative amount during the call. However, ComReg notes that RegTel already places a requirement via its Code of Practice for price warnings²⁴. ComReg will therefore convey respondents' concerns to RegTel with a view to ensuring that at a minimum, current requirements are being fully met.

ComReg also has concerns about the degree of transparency to the customer of 'surcharges' applied by mobile operators for Premium Rate calls. As respondents noted, the requirement to advertise that 'calls from mobiles may²⁵ cost more' is not strictly adhered to. Strict enforcement of the requirement to convey this (or a similar) message in all PRS promotion would greatly assist the transparency issue, and ComReg will consult further with RegTel on this matter.

²⁴ Refer to sections 8.5.5, 8.6.4 and 9.3.3 of RegTel's Code of Practice in relation to Price Warnings (<http://www.regtel.ie>).

²⁵ Reflects that one mobile operator currently charges broadly the same rates as the fixed operators.

7 Allocation process and National Numbering Conventions

In the consultation paper, ComReg proposed to maintain the existing allocation process for premium rate numbers. That is, allocation to be made in the blocks of 1000 with the exception of Bursty traffic where allocation are made in blocks of 100.

The National Numbering Conventions will be revised to reflect changes made to the Premium Rate numbering scheme as a result of the consultation.

Q.23. Do respondents agree with the retention of the existing numbering allocation procedures and ComReg’s proposal to facilitate service migration to higher price bands? If you do not agree, please state your reasons, offering alternatives if possible.

7.1 Views of Respondents

Four of the respondents agree with the retention of the current allocation process for Premium Rate numbers, with one respondent stating the allocations should continue to be made solely to Network Operators. One respondent felt that there was a need to assess the current processes to ensure that they do not contribute to exhaustion of the PRS numbering space. This respondent questioned the need for allocations to be made in blocks of 1,000 and suggested that they can be made in blocks of 100 instead. One respondent had no view on this matter.

7.2 Commission’s Position

ComReg intends to continue allocating premium rate numbers to eligible operators in blocks of 1,000, as there is no risk of exhaustion of this part of the numbering space. The exception to this will continue to be Bursty traffic, which uses number blocks of the form 71X XXX, where it is necessary to continue allocation in blocks of 100. Additional allocations may need to be made to match any new price points agreed by the market players (i.e. within some/all of the new price bands) as a result of this consultation.

Revised text for the National Numbering Conventions, to reflect the new Premium Rate Services numbering scheme, is presented in Appendix 2 to this document.

8 Next Steps

8.1 ComReg

Written notification will be sent to holders of 1540 number allocations concerning the change in pricing and describing how ComReg intends to implement this. This notification will include dates (outlined in section 6.1.2) by which migration should have occurred and advice on when 1540 will be available under a per-minute price-band.

New number ranges (1512 – 1517 for per-call charged services and 1590 for per-minute charged services) will be opened, with recommended price-bands as presented in this document, and number blocks made available for allocation.

Additional numbers will need to be opened by ComReg in due course, to meet the need for the extra price points within each band. This will apply to both per-minute and per-call services. The choice of numbers for this function, which will use a ‘price indication’ digit beyond the first three digits “15X”, will be decided in discussion with the market players and this may follow an audit of PRS numbers currently in use, in order to determine which blocks still remain free.

Finally, ComReg has noted respondents’ concerns about transparency issues raised by mobile-originated calls and other consumer protection issues (e.g. advice to callers that cost thresholds have been reached on a PRS call). ComReg fully realises the importance of such consumer protection measures and as already indicated, will immediately revert to RegTel to seek to have these matters addressed via RegTel’s ongoing relationship with PRS Service Providers. In particular, the desirability of more specific customer warnings than those currently used in respect of higher mobile charges from some networks should be considered. Furthermore, there may be a need to ensure these warnings are consistently applied.

8.2 Market Players

Operators and Service Providers can take advantage of the new numbering ranges and associated price-bands to commence their commercial negotiations that should lead to the current pressing needs of SPs being met.

Service Providers are expected to commence negotiations with the operators in order to reach agreed positions on a small number of price points within each price band of interest to them. What is envisaged is that a maximum of three points – but preferably just one or two – will be agreed by all within each band and these points will remain in place for an agreed period (e.g. one year²⁶) after which they may be renegotiated to account for market movements. The price bands offer the flexibility for the market players to continuously ‘re-tune’ their price-points at reasonable intervals, while limitation of the number of points ensures a manageable situation for operators in respect of their billing and

²⁶ It was subsequently agreed at the industry meeting of 18/9/03 that the (first single set of) agreed price-points should remain in place for 2 years from their implementation date and ComReg supports this principle to maintain stability of the system. This does not preclude additional price-points being agreed at industry level if/when billing systems can accommodate these. In addition, the rates for 1559 (Adult) may be revisited – see section 3.8.2.

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inter-operator accounting operations. Restriction of the number of possible price-points also ensures transparency for users is not unduly affected.

ComReg reluctantly accepts that for up to two years after the introduction of this scheme, all or most bands will have only a single price-point in operation, for practical implementation reasons. Nevertheless, as this allows new price points to be introduced in certain key areas where none currently exist and adjustment of the historical retail levels in other cases, some of the most critical problems currently facing SPs can be quickly alleviated.

ComReg anticipates some difficulties may arise in the transition to this new framework but it encourages all market players to negotiate any additional price-points quickly and harmoniously between themselves as soon as billing systems can cope with this. In the event of failure to negotiate reasonable positions, the normal ComReg disputes mechanisms may be employed to seek acceptable outcomes.

Appendix 1 – The New Premium Rate Services Numbering Scheme

The new premium rate service numbering scheme (with price-bands) for per-minute and per-call charged services, following the extended consultation process on this new framework, is presented here in one place, for convenience.

Access Code	Price-band	Initial Price-point in Scheme ²⁷
1520	Up to €0.30	€0.15
1530	Up to €0.50	€0.33 ²⁸
1540	Up to €0.70	€0.60 (opens on 01/02/2005)
1550	Up to €1.20	€0.95
1560	Up to €1.80	€1.25
1570	Up to €2.40	€1.75
1580	Up to €2.95	€2.40
1590	Up to €3.50	€2.90

Table 4: Price Bands for Per-minute Charged PRS

Access Code	Price-band	Initial Price-point in Scheme ²⁷
1559	Variable price ≤ €3.50	€0.74 per minute ²⁸

Table 5: Price Band for Per-minute Charged Adult PRS

Access Code	Price-band	Initial Price-point in Scheme ²⁷
1512	Up to €0.50	€0.25
1513	Up to €0.70	€0.60
1540	Up to €0.70	€0.60 (Continued operation in parallel with 1513 until 01/08/04)
1514	Up to €0.90	€0.75
1515	Up to €1.20	€1.00
1516	Up to €1.80	€1.50
1517	Up to €2.50	€2.00
1518	Up to €3.50	€3.00
1519		Reserved for future use

Table 6: Price Bands for Per-call Charged PRS

²⁷ This is a required initial point. Operators are encouraged to include additional price-points subject to billing capabilities and normal operator interconnection negotiations.

²⁸ This corresponds to an existing price-point under the old scheme.

Appendix 2 – Revised Text of the National Numbering Conventions

The service description for PRS in the National Numbering Conventions²⁹ will be amended in due course by the inclusion of the following text:

A2.2 Service Description

A7.3.3 Premium Rate Numbers and Services

Premium Rate Services are those that substantially³⁰ meet the definition in SI No. 194 of 1995 viz. *“Premium Rate Telephone Service” means a telephone service in respect of which part of the telephone charge paid or payable by a telephone subscriber or caller in respect of the call is passed by Bord Telecom Éireann or another telecommunications network operator, directly or indirectly, to an individual, organisation or company which is participating in the provision of the service”*.

Premium Rate services give the caller access to information or other added value services. The charge to the caller is comprised of the cost of carrying the call and a charge for access to the service. At present there are nine numbering ranges for per-minute charged PRS (including the adult range) and seven ranges for per-call charged services. All Premium Rate services shall be provided using numbers from these ranges, unless new arrangements are specifically agreed with the NPM. These numbering ranges are identified by distinctive access codes, as follows:

1520, 1530, 1540, 1550, 1559, 1560, 1570, 1580, 1590 for per-minute charged services (excl adult services); and

1512, 1513, 1514, 1515, 1516, 1517, 1518 for per-call charged services.

Adult type services shall only be provided using the access code 1559. The other access codes are used to provide distinctive types of service and, generally speaking, the maximum tariff rate increases incrementally from 1520 (the lowest) to 1590 (the highest) for per-minute charged services, or from 1512 (the lowest) to 1517 (the highest), for per-call charged services.

Premium Rate Numbers using access codes 1520 to 1590 and 1512 to 1518 will be allocated for non-bursty usage in blocks of 1,000 at primary allocation.

²⁹ The National Numbering Conventions is currently at version 3.0, ComReg document 02/107).

³⁰ Bord Telecom Éireann is now replaced by *eircom*. The definition above is also clarified in the Code of Practice of RegTel, which is given certain responsibilities in respect of PRS in SI No 194 of 1995.